

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**AARON BUNDGARD,**

**Plaintiff,**

**v.**

**JAN SMITH, et al.,**

**Defendants.**

:  
: Case No. 2:21-cv-756  
:  
: Chief Judge Algenon L. Marbley  
:  
: Magistrate Judge Jolson  
:  
:

**ORDER ON REPORT AND RECOMMENDATION**

On October 21, 2021, the United States Magistrate Judge issued a Report and Recommendation (“R&R”), recommending Plaintiff’s case be dismissed for failure to prosecute. (ECF No. 10). The Magistrate Judge found dismissal appropriate given Plaintiff had not responded to this Court’s Show Cause Order (ECF No. 9) and not otherwise engaged this Court since June 2021. (*Id.* at 2–3). The parties were advised specifically of their right to object to the R&R within fourteen days and of the rights they would waive by failing to do so. (*Id.* at 4). No objection has been filed, and the deadline lapsed on November 4, 2021.

Accordingly, this Court **ADOPTS** the R&R (ECF No. 10) and this case is **DISMISSED**. Given this disposition, Plaintiff’s Motion to Transfer (ECF No. 8) is **DENIED** as moot.

**IT IS SO ORDERED.**



ALGENON L. MARBLEY  
CHIEF UNITED STATES DISTRICT JUDGE

**DATED: February 7, 2022**